

MESSAGE NO: 1353310

MESSAGE DATE: 12/19/2011

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-918

EFFECTIVE DATE: 10/03/2011

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY FINAL OUTSIDE-OF-SCOPE SCOPE RULING ON STEEL WIRE GARMENT HANGERS FROM THE PEOPLE'S REPUBLIC OF CHINA ("PRC") (A-570-918)

NOTE: NOTICE OF LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE LISTED IN THESE INSTRUCTIONS. SEE PARAGRAPH 5 BELOW.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM ROBERT H. HAM ASSOCIATES LTD. ("HAM ASSOCIATES"). COMMERCE ISSUED A FINAL SCOPE RULING ON 12/01/2011, WHICH CONFIRMED THE PRELIMINARY RULING ON 10/03/2011 THAT THE FDL-HGR (FLEUR DE LIS) AND BQ-HGR (BOUTIQUE DISPLAY) HANGERS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING STEEL WIRE GARMENT HANGERS FROM THE PRC (A-570-918).

2. COMMERCE DETERMINED THAT HAM ASSOCIATES'S FDL-HGR (FLEUR DE LIS) AND BQ-HGR (BOUTIQUE DISPLAY) HANGERS ARE OUTSIDE THE SCOPE OF THE ORDER. THE FLEUR DE LIS HANGER (DESIGNATED AS "STYLE FDL-HGR" BY HAM ASSOCIATES) IS A METAL HANGER WITH A DIAMETER OF AT LEAST 4.5 MM AND A METAL FLEUR DE LIS PERMANENTLY AFFIXED TO THE HANGER BELOW THE HOOK; IT IS FINISHED IN A GOLD MIST COLOR AND IS BETWEEN 12.5 AND 13.5 INCHES HIGH AND BETWEEN 17.5 AND 18.5 INCHES IN WIDTH. THE BOUTIQUE HANGER (DESIGNATED AS "STYLE BQ-HGR" BY HAM ASSOCIATES) IS A METAL HANGER WITH A DIAMETER OF AT LEAST 4.5 MM AND A METAL PIECE IN THE SHAPE OF A SCROLL PERMANENTLY AFFIXED TO THE HANGER BELOW THE HOOK; IT IS FINISHED IN A HAMMER TONE PEWTER COLOR AND IS BETWEEN 12.5 AND 13.5 INCHES HIGH AND BETWEEN 17.5 AND 18.5 INCHES IN WIDTH. THESE HANGERS ARE IMPORTED ONLY BY OR ON BEHALF OF HAM ASSOCIATES.

3. IN ACCORDANCE WITH 19 CFR 351.225(L)(2), EFFECTIVE 10/03/2011, CBP SHALL TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF THE FDL-HGR (FLEUR DE LIS) AND BQ-HGR (BOUTIQUE DISPLAY) HANGERS, DESCRIBED IN PARAGRAPH 2.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING

TO THE FDL-HGR (FLEUR DE LIS) AND BQ-HGR (BOUTIQUE DISPLAY) HANGERS DESCRIBED IN PARAGRAPH 2.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF FDL-HGR (FLEUR DE LIS) AND BQ-HGR (BOUTIQUE DISPLAY) HANGERS FROM THE PRC ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 10/03/2011.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF STEEL WIRE GARMENT HANGERS FROM THE PRC NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:JS).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party